

Adopted	Rejected
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COMMITTEE REPORT

YES:	27
NO:	0

MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred House Bill 1219, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 4, line 2, after "periods." insert "**A rule adopted under**
- 2 **subsection (a)(24) may be extended for three (3) extension**
- 3 **periods.**".
- 4 Page 4, line 3, delete "(a)(14)," and insert "(a)(14) **or (a)(24),**".
- 5 Page 4, between lines 15 and 16, begin a new paragraph and insert:
- 6 "SECTION 2. IC 20-3-11-22, AS AMENDED BY P.L.2-2002,
- 7 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 UPON PASSAGE]: Sec. 22. (a) The board of school commissioners
- 9 may not create any debt in excess of twenty-five thousand dollars
- 10 (\$25,000) in the aggregate, except as otherwise provided in this
- 11 chapter, and except further debts as are on or after March 9, 1931,
- 12 authorized by the general school laws of Indiana, including within the
- 13 latter exception, but not by way of limitation, ~~IC 21-4-20~~ and IC 20-5-1
- 14 through IC 20-5-6.

1 (b) Notwithstanding the provisions of subsection (a), the board is
2 liable upon its lawful contracts with persons rendering services and
3 furnishing materials incident to the ordinary current operations of its
4 schools if the contracts have been entered into as provided in this
5 chapter and in accordance with law. The obligations of the board to
6 persons rendering services or furnishing materials may not be
7 considered to be limited or prohibited by any of the provisions of this
8 chapter.

9 (c) If the compensation to be paid for the purchase of any real estate
10 or interest in real estate required by the board for its purposes cannot
11 be agreed upon or determined by the board and the persons owning or
12 having an interest in the land desired for its purposes or sites, the board
13 of school commissioners has the power of eminent domain and shall
14 proceed to have the compensation determined and to acquire the title
15 to the real estate or interest in the real estate by action in court under
16 IC 32-24. The right and power of the board to own and acquire real
17 estate and interests in real estate in any of the manners and for any of
18 the purposes specified in this chapter or by the general school laws of
19 this state may not be limited to real estate situated within the corporate
20 boundaries of the civil city in which any school city is located.
21 However, the right and power to acquire and own real estate extends to
22 any parcel or trace of real estate the whole of which is situated:

23 (1) within one-half (1/2) mile of the nearest point on the corporate
24 boundary of the civil city; or

25 (2) within, or within one-half (1/2) mile of the nearest point on the
26 boundary of, any platted territory lying outside but contiguous to,
27 or contiguous to another platted territory that is contiguous to, the
28 corporate boundary of the civil city.

29 (d) "Platted territory", as used in subsection (c), means any territory
30 or land area of which a plat has been recorded in the manner provided
31 by the laws of Indiana pertaining to the recording of plats of land.

32 (e) Before acquiring any real estate or interest in real estate outside
33 the corporate limits of the civil city, the board must, by resolution made
34 a matter of record in its corporate minutes, find and determine that, in
35 the judgment of the board, the real estate or interest in real estate to be
36 acquired will be needed for the future purposes of the board. This
37 chapter does not limit the right of any board to accept, own, and hold
38 real estate or interest in real estate, wherever situated, that is acquired

1 by the board by gift or devise.

2 SECTION 3. IC 20-5-1-3 IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: Sec. 3. As used in IC 20-5-1 through
4 IC 20-5-6, the following terms shall have the following meanings:

5 (a) "School corporation": ~~shall mean~~

6 **(1) for the purposes of a provision other than IC 20-5-4-8,**
7 **means** any local public school corporation established under the
8 laws of the state of Indiana, including but not limited to school
9 cities, school towns, metropolitan school districts, consolidated
10 school corporations, county school corporations, community
11 school corporations, and united school corporations, excluding,
12 however, school townships; **and**

13 **(2) for the purposes of IC 20-5-4-8, means a local public**
14 **school corporation described in subdivision (1) or a school**
15 **township.**

16 (b) "Governing body" shall mean the board of commissioners
17 charged by law with the responsibility of administering the affairs of a
18 school corporation, including but not limited to a board of school
19 commissioners, metropolitan board of education, board of school
20 trustees, or board of trustees, and "member" shall mean a member of
21 such governing body.

22 (c) "School purposes" shall mean the general purposes and powers
23 provided in IC 20-5-2-1.2 and IC 20-5-2-2. However, the delineation
24 of a specific power in IC 20-5-2-2 shall not be construed as a limitation
25 on the general powers and purposes set out in IC 20-5-2-1.2."

26 Page 6, between lines 30 and 31, begin a new paragraph and insert:
27 "SECTION 6. IC 21-4-20 IS REPEALED [EFFECTIVE UPON
28 PASSAGE].".

29 Page 6, line 39, delete "." and insert "**and refers to liability for**
30 **property taxes after the application of all allowed deductions and**
31 **credits.**".

32 Page 7, line 7, after "(A)" insert "**ninety-five percent (95%) of**".

33 Page 7, line 9, after "(B) the" insert "**actual**".

34 Page 7, line 9, after "liability" insert "**payable in 2003**".

35 Page 7, line 11, after "(i)" insert "**that**".

36 Page 7, line 15, delete "amount determined under clause (A)" and
37 insert "**physical characteristics as of the 2001 assessment date are**
38 **substantially different from the physical characteristics as of the**

- 1 **2002 assessment date;"**.
- 2 Page 7, delete lines 16 through 18.
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 1219 as introduced.)

and when so amended that said bill do pass.

Representative Crawford